

ORIGINAL

1 Todd L. Bice, No. 4534
SCHRECK BRIGNONE
2 300 South Fourth Street, Suite 1200
Las Vegas, NV 89101
3 Telephone: (702) 382-2101
Facsimile: (702) 382-8135

NO-SP-10 P W 15

5 Attorneys for Defendants Armorcast
Products Co. and Paul Boghossian

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

9 SAM ARNOLD,

Plaintiff,

vs.

12 ARMORCAST PRODUCTS CO., a
13 California corporation, PAUL
14 BOGHOSSIAN, individually, DOES I
through X, and ROE ENTITIES I through
Y

Defendants

Case No. CV-S-03-0930-LRH-PAL

**NOTICE OF SUBMISSION OF
ORIGINAL DECLARATION
OF PAUL BOGHOSIAN IN
SUPPORT OF MOTION FOR
CHANGE OF VENUE**

17 Defendants hereby submit the original Declaration of Paul Boghossian in Support of
18 Motion for Change of Venue. On September 2, 2003, Defendants filed a Motion for Change
19 of Venue. However, due to time constraints a facsimile copy of Paul Boghossian's
20 Declaration was attached to the original motion. Accordingly, Defendants hereby submit
21 the original Declaration, attached hereto as Exhibit "A," in place and instead of the facsimile
22 copy currently attached to the motion.

23 DATED: September 10, 2003.

SCHRECK-BRIGNONE

By:

Todd L. Bice, No. 4534
300 South Fourth Street, Suite 1200
Las Vegas, NV 89101
(702) 382-2101
Attorneys for Defendants Armorcast
Products Co. and Paul Boghossian

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EX. A

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SAM ARNOLD,) CASE No. CV-S-03-0930-LRH-PAL
Plaintiff,)
v.) DECLARATION OF PAUL
ARMORCAST PRODUCTS CO., a) BOGHOSSIAN IN SUPPORT OF
California corporation, PAUL) MOTION FOR CHANGE OF VENUE
BOGHOSSIAN, individually,)
Defendants.)
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)

I, PAUL BOGHOSSIAN, declare:

1. I am president of defendant Armorcast Products, Inc. and a defendant in this action. I have personal knowledge of the facts herein. If called as a witness, I could and would testify competently to the following facts.

2. Defendant Armorcast Products Co. (Armorcast) is a corporation incorporated in and existing under the laws of the State of California with its principal place of business in the Central District of California at 13230 Saticoy Street, North

1 Hollywood, California 91605.

2 3. The following are the names and addresses of all
3 persons known to be percipient witnesses to any of the matters
4 raised in the pleadings in this action and the matters upon
5 which they are expected to testify.

6 (a) Sydney Chase. Ms. Chase resides in the Los
7 Angeles, California area and is employed at the Armorcast
8 company headquarters in North Hollywood, California. During Mr.
9 Arnold's tenure at Armorcast, Ms. Chase was his immediate
10 supervisor. Ms. Chase is expected to testify as to the quality
11 of Mr. Arnold's activities and performance for Armorcast and Mr.
12 Arnold's subsequent termination.

13 (b) Haig Der Vartianian. Mr. Der Vartianian resides in
14 the Los Angeles, California area and is employed at the
15 Armorcast Company headquarters in North Hollywood, California.
16 Mr. Der Vartianian is and was Armorcast's chief financial officer
17 during the time of Mr. Arnold's employment with Armorcast and is
18 expected to testify as to company policy and the method and
19 manner in which Armorcast would prepare and enter into
20 contracts.

21 (c) Bill Isaacson. During Mr. Arnold's employment
22 with Armorcast, Bill Isaacson resided in Texas, but will be
23 moving to California within the next week where he will be
24 employed at the Armorcast company headquarters in North
25 Hollywood, California. Mr. Isaacson is expected to testify
26 that, on at least one occasion, he met Mr. Arnold at a trade
27 show and saw Mr. Arnold pass out business cards not in the name
28 of Armorcast.

1 (d) Eva Garibian. Ms. Garibian is the outside CPA
2 for Armorcast. Her office is located at 417 South First Avenue,
3 Arcadia, California 91006. Ms. Garibian is expected to testify
4 as to company policy with regard to its method and manner of
5 entering into contracts.

6 4. The interests of justice and convenience of the
7 parties and witnesses would be served by transferring this
8 action to the Central District of California for the following
9 reasons:

10 It would be highly burdensome and inconvenient for
11 myself and the foregoing witnesses to attend the trial in Nevada
12 because of the expense of travel and time away from Armorcast's
13 business and in the case of Ms. Garibian, the rest of her
14 accounting practice. If I, Mr. Isaacson, Ms. Chase, and Mr. Der
15 Vartanian had to attend a trial in Las Vegas, the operations of
16 Armorcast would be severely restricted for the length of our
17 absence and would cause a monetary loss to Armorcast. If Ms.
18 Garibian had to attend the trial in Nevada, a substantial
19 portion of her accounting practice would be curtailed in that
20 she would be prevented from attending to her clients in the Los
21 Angeles area.

22 5. During the time Armorcast employed Mr. Arnold,
23 Armorcast rented a small office in Las Vegas for Mr. Arnold to
24 work at. Shortly after Mr. Arnold's employment with Armorcast
25 was terminated, however, Armorcast closed its Las Vegas office
26 and has since had no offices or other facilities in Nevada. All
27 books, records and documents in the Nevada office were
28 transferred to Armorcast's headquarters in North Hollywood,

1 California after the Nevada office was closed.

2 5. If this case goes to trial, I want our California
3 counsel, Rodney T. Lewin, to represent myself and Armorcast at
4 the trial and to be lead trial counsel. Mr. Lewin resides in
5 California.

6 I declare under penalty of perjury under the laws of the
7 United States of America that the foregoing is true and correct.

8 Dated: September 2, 2003


PAUL BOGHOSIAN

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